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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SAEED ANOOSH FAR

Application No.: 09/498,396

Filed: February 4, 2000

For: COMPUTER NETWORK
SCANNING

Examiner: April L. Baugh

Group Art Unit: 2141

June 11, 2004

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JUN 16 2004

Technology Center 2100

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR NEW OFFICE ACTION

Sir:

Applicant has received an Office Action dated May 5, 2004 (Paper No. 21) which enters a final rejection that is word-for-word identical with the rejection entered in the prior Office Action dated August 12, 2003 (Paper No. 18).

Paper No. 21 also includes a section entitled "Response to Arguments" that is likewise word-for-word identical with a similar section in Paper No. 18. In fact, the entirety of Paper No. 21 is nearly identical in all respects to Paper No. 18, despite Applicant's intervening traversal in his Response dated February 12, 2004.

It is therefore apparent that Paper No. 21 fails to comply with MPEP § 707.07(f):

"Where the Applicant traverses any rejection, the Examiner should, if he or she repeats the rejection, take note of Applicant's argument and answer the substance of it."

For example, in Applicant's Response dated February 12, 2004, Applicant traversed the rejection entered by Paper No. 18, and argued that the primary reference to Maeda does not disclose or suggest the creation of a scan order. (Response at page 3.) Rather, Maeda sends a message "indicating that processing has not been normally

completed"; as such, Maeda's message is nothing more than an error message and is not a scan order. *Id*

This argument, was not addressed in Paper No. 21, and indeed no argument was addressed. Accordingly, Paper No. 21 does not provide Applicant with the wherewithal for responding to the final rejection (see 35 U.S.C. § 132(a)), and a new Office Action is warranted.

Issuance of a new Office Action is therefore respectfully requested. It is further respectfully requested to restart the period for response commencing with the date that the new Office Action is mailed.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,


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